



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Conduct a Public Hearing to consider adoption of a Resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2008.

MEETING DATE: November 21, 2007

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Conduct a Public Hearing to consider adoption of a Resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2008.

BACKGROUND INFORMATION: On February 21, 2001 the City of Lodi adopted the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The Plan included a schedule of fees to be paid by land-owners who propose to develop their property with non-agricultural uses. These fees are used to mitigate the cumulative impacts of new development on habitat lands within Lodi and San Joaquin County. According to the San Joaquin Council of Governments (SJCOG), it is necessary for all jurisdictions covered by the Plan to adopt the annual Habitat Conservation Plan (HCP) fees in order for those jurisdictions to continue to participate in the Plan. SJCOG prepared a SJMSCP Financial Analysis Update in 2006 that provided the justification for a significant fee increase in 2007. The Financial Analysis Update also established a formula method that provides for future annual adjustments of the fee schedule based on the established criteria. Utilizing this formula, the SJCOG has established a new fee schedule for 2008 (attachment). For 2008, the fees for the categories of Open Space lands and Agriculture/Natural lands (the two largest categories) have actually decreased slightly. Fees for Vernal Pool lands have increased slightly. An explanation of the analysis methodology is included in the SJCOG staff report (attachment).

On August 23, 2007 the SJCOG Board unanimously approved the 2008 HCP fees. All local jurisdictions are now being asked to adopt the new fee schedule that will take effect on January 1, 2008. Given that these development fee changes will take effect on January 1, 2008, it is essential that the City adopt the new fees at the earliest possible date in order for the City to remain a participant in the Plan. With the adoption of this fee schedule, the fee per acre will be \$6,165 for Multi-Purpose Open Space land (5.3% decrease); \$12,329 for Natural and Agriculture land (5.3% decrease); and \$35,143 for Grassland Vernal Pool land (0.5% increase) and \$71,125 for Wetted Vernal Pool land (1.8% increase). The fees will be paid by land owners covered by the Plan who develop their property with projects that are subject to the HCP fees.

APPROVED: _____
Blair King, City Manager

FISCAL IMPACT: No fiscal impact on the City.

FUNDING AVAILABLE: None required.

Randy Hatch, Community Development Director

Attachments: 1) Staff Report from SJCOG w/Fee Analysis Update summary
2) 2008 Fee schedule

RH/dm/kjc

Staff Report

SUBJECT: 2008 SJMSCP Development Fees

RECOMMENDED ACTION: Motion to Approve the 2008 SJMSCP Development Fees as Adjusted Pursuant to Land Sale Comparables and Consumer Price Index

DISCUSSION:

In accordance with the SJMSCP and the new financial analysis model adopted by the SJCOG, Inc. Board in late 2006, SJCOG, Inc. staff shall notify each local jurisdiction regarding proposed annual adjustments to the SJMSCP development fees. The development fees are calculated using a formula method which will be adjusted annually as shown in the table below [FEE = Category A (acquisition) + Category B (assessment & enhancement) + Category C (management & admin)]. Each component of the formula is adjusted using a specific mechanism which relates to the individual component in the fees. The development fees established must be adopted by each of the jurisdiction and would become effective on January 1st of the subsequent year for projects using the SJMSCP.

2007 SJMSCP Development Fees

<i>Habitat Type</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Total Fee</i>	<i>Rounded Fee*</i>
<i>Open Space</i>	<i>\$4,435.03</i>	<i>\$1,327.58</i>	<i>\$748.45</i>	<i>\$6,511.06</i>	<i>\$6,511</i>
<i>AG/Natural</i>	<i>\$8,870.05</i>	<i>\$2,655.16</i>	<i>\$1,496.90</i>	<i>\$13,022.11</i>	<i>\$13,022</i>
<i>Vernal Pool (grasslands)</i>	<i>\$28,980.00</i>	<i>\$500.01</i>	<i>\$5,478.00</i>	<i>\$34,958.01</i>	<i>\$34,958</i>
<i>Vernal Pool (wetted)</i>	<i>\$28,980.00</i>	<i>\$35,400.03</i>	<i>\$5,478.00</i>	<i>\$69,858.03</i>	<i>\$69,858</i>

Category A (acquisition) - Comparables

This category is directly related to land valuation based on comparables which occur in specific zones of the plan. This category is evaluated on a yearly basis by taking all qualified comparables in each zone, including SJCOG, Inc. easements, to set a weighted cost per acre using the same methodology as in the Financial Analysis Update in 2006 created by EPS. The SJCOG, Inc. easements are evaluated using the appraised value of the property in the before condition to be included with the fee title sales of other property occurring in San Joaquin County meeting specific criteria below (Tables A, B, C attached). The final weighted cost per acre of each zone is calculated into a blended rate under Category A (acquisition) figure for each habitat type (Tables 1-8 attached).

The criteria to determine valid comparables used in the weighted calculation are:

1. All SJCOG, Inc. transactions (fee title and appraised value of unencumbered property)
2. Sales not less than 40 acres
3. Sales not greater than 500 acres
4. No parcels with vineyard or orchard (except SJCOG, Inc. transactions for special needs)
5. Must be land which would fulfill mitigation under the plan
6. Not greater than 2 years old from the date of June 30th of each year with all acceptable comparables included (criteria 1-5). A minimum of 10 acceptable comparables are required for analysis. If the minimum of 10 transactions are not available, the time period will extend at 3 month intervals prior to the beginning date until 10 comparables are gathered.

The calculation results in a decrease to the Agricultural/Natural Habitat type of Category A (acquisition) component to be **\$8,048.33**.

Category B (assessment & enhancement) - Consumer Price Index

This category is a straight forward use of an average of the California Consumer Price Index (CPI) calculator, as reported by the California Department of Finance, for a 12 month period following a fiscal year (July – June) to keep up with inflation on a yearly basis. The California CPI calculation was an increase of **3.1%**.

The calculation results in an increase of the Category B (Assessment & Enhancement) component to be **\$2,737.47**.

Category C (management & administration) - Consumer Price Index

This category is a straight forward use of an average of the California Consumer Price Index (CPI) calculator, as reported by the California Department of Finance, for a 12 month period following a fiscal year (July – June) to keep up with inflation on a yearly basis. The California CPI calculation was an increase of **3.1%**.

The calculation results in an increase of the Category C (Management & Administration) component to be **\$1,543.30**.

SJCOG, Inc. staff calculated the fees using the SJMSCP Financial Analysis formula model [FEE = Category A (acquisition) + Category B (assessment & enhancement) + Category C (management & admin)] which is shown in Table 1-8 attached. The overall result in the calculations was a decrease in the fees from the 2007 to the 2008. The final 2008 SJMSCP development fees are shown in the table below.

2008 SJMSCP Development Fees

Habitat Type	Category A	Category B	Category C	Total Fee	Rounded Fee*
Open Space	\$4,024.17	\$1,368.73	\$771.65	\$6,164.55	\$6,165
AG/Natural	\$8,048.33	\$2,737.47	\$1,543.30	\$12,329.11	\$12,329
Vernal Pool (grasslands)	\$28,980.00	\$515.51	\$5,647.82	\$35,143.33	\$35,143
Vernal Pool (wetted)	\$28,980.00	\$36,497.43	\$5,647.82	\$71,125.25	\$71,125

At the August HTAC, the HTAC committee made a recommendation for the Board to approve 2008 SJMSCP Development Fees.

RECOMMENDATION:

Staff recommends the HTAC approve the recommendation to SJCOG, Inc. to adopt the 2008 SJMSCP development fees.

Prepared by: Steve Mayo, Senior Regional Planner

M:\STAFFRPT\2007\August\Board\SJCOG, Inc.\2008 SJMSCP Development Fees

Table A. *Central Zone Properties*

Address	APN	Zone	Sale Date	Price	Acres	Price/Acre	Habitat Type	Appreciated Price	Appreciated Price/Acre
17463 Gawne Road, Stockton, CA	189-100-02	Central	07/26/2005	\$1,112,575.00	142	\$7,835.04	C34	\$1,325,817.69	\$9,336.74
6771 E. State Route 12 Lodi, CA	049-130-52	Central	08/22/2005	\$1,650,000.00	106	\$15,566.04	C34	\$1,952,498.79	\$18,419.80
Greenwood Tracy, CA	255-240-12	Central	09/28/2005	\$950,000.00	98	\$9,693.88	C34	\$1,116,249.34	\$11,390.30
30444 E. State Route 4, Farmington, CA	187-440-07	Central	11/02/2005	\$1,500,000.00	146.22	\$10,258.51	C34	\$1,737,499.05	\$11,882.77
33667 S. Greenwood Road, Tracy, CA	255-240-02	Central	04/03/2006	\$2,185,000.00	196.79	\$11,103.21	C34	\$2,439,915.65	\$12,398.58
3102 W. Berry Ave, Tracy, CA	213-270-18	Central	04/07/2006	\$800,000.00	86.47	\$9,251.76	C34	\$893,332.96	\$10,331.13
989 East Critchett Road, Tracy, CA	241-110-36	Central	04/25/2006	\$1,230,000.00	50	\$24,600.00	C34	\$1,373,499.43	\$27,469.99
Richland B2		Central	06/01/2006	\$1,575,000.00	240.56	\$6,547.22	C34	\$1,732,499.37	\$7,201.94
26026 Kasson Road, Tracy, CA	239-230-03	Central	03/23/2007	\$2,328,840.00	258.76	\$9,000.00	C34	\$2,387,060.77	\$9,225.00
8074 W. Delta Ave, Tracy, CA	213-020-11	Central	06/11/2007	\$1,700,000.00	98.08	\$17,332.79	C34	\$1,700,000.00	\$17,332.79
<i>Machado Property*</i>		Central	07/31/2006	\$1,040,000.00	160	\$6,500.00	C34	\$1,135,332.95	\$7,095.83
<i>Beck Property*</i>		Central	08/22/2006	\$2,856,000.00	204	\$14,000.00	C34	\$3,093,999.05	\$15,166.66
<i>Hansen Property*</i>		Central	04/26/2006	\$1,359,000.00	271	\$5,014.76	C34	\$1,517,549.37	\$5,599.81
* SICOG, Inc. Preserves			TOTAL	\$20,286,415.00	2057.88	\$9,857.92		\$22,405,254.40	\$10,887.54

Table B. *Delta Properties*

Address	APN	Zone		Price	Acres	Price/Acre	Habitat Type	Appreciated Price	Appreciateddd Price/Acre
1122 Crocker Road, Stockton, CA	191-100-02	Delta	07/08/2005	\$690,000.00	124.72	\$5,532.39	C34	\$822,249.47	\$6,592.76
11981 S. Roberts Road, Stockton, CA	191-150-13	Delta	11/15/2005	\$1,508,000.00	260	\$5,800.00	C34	\$1,746,765.71	\$6,718.33
11937 Wing Levee Road, Tracy, CA	189-210-09	Delta	06/16/2006	\$3,233,366.00	361.27	\$8,950.00	C34	\$3,556,701.31	\$9,844.99
<i>Van Loben Sels 1*</i>		Delta	12/01/2005	\$1,368,570.00	133	\$10,290.00	C34	\$1,573,854.68	\$11,833.49
<i>Van Loben Sels 2*</i>		Delta	02/01/2006	\$2,667,600.00	270	\$9,880.00	C34	\$3,001,048.67	\$11,115.00
<i>Ishizuka Preserve*</i>		Delta	03/01/2006	\$2,680,360.00	296.5	\$9,040.00	C34	\$3,082,412.39	\$10,395.99
TOTAL				\$12,147,896.00	1445.49	\$8,404.00		\$14,476,233.42	\$10,014.76

* SJCOG, Inc. Preserves

Table C. *Encumbered Properties*

Address	APN	Zone		Price	Acres	Price/Acre	Habitat Type	Appreciated Price	Appreciated Price/Acre
Hammer Trust / Morais			06/25/2004	\$854,000.00	388.89	\$2,195.99	C34	\$930,860.00	\$2,393.63
Nature Conservancy			07/22/2004	\$658,000.00	328.8	\$2,001.22	C34	\$715,575.00	\$2,176.32
Caffese Trust / Leventini			10/17/2003	\$550,000.00	179.91	\$3,057.08	C34	\$610,500.00	\$3,393.36
Rurup Trust / Suprenant			01/09/2004	\$425,000.00	195	\$2,179.49	C34	\$468,562.50	\$2,402.88
Heritage Land Co. / Olagaray Bros PTP			04/13/2005	\$712,000.00	215.64	\$3,301.80	C34	\$758,280.00	\$3,516.42
TOTAL				\$3,199,000.00	1,308.24	\$2,445.27		\$3,483,777.50	\$2,662.95

Table 1 *2008 SJMSCP Habitat Mitigation Fees*

2008 Fees	Acquisition Costs	Assessment & Enhancement	Management and Administration	Total	Total Rounded
Other Open Space	\$4,024.17	\$1,368.73	\$771.65	\$6,164.55	\$6,165
Natural/Ag Lands	\$8,048.33	\$2,737.47	\$1,543.30	\$12,329.11	\$12,329
Vernal Pool Grasslands	\$28,980.00	\$515.51	\$5,647.82	\$35,143.33	\$35,143
Vernal Pool Wetted	\$28,980.00	\$36,497.43	\$5,647.82	\$71,125.25	\$71,125

Table 2 Per-Acre Land Value Summary

SJMSCP 2008 Fee Evaluation

Land Use		Central Zone	Primary Zone of the Delta	Southwest Zone
Fee Title	a*	\$10,888	\$10,015	\$1,500
Row Crops/Grazing	b**	\$2,663	\$2,413	\$500
Easement Costs	a-b	\$8,225	\$7,602	\$1,000

*based off of 6/30/05-6/30/07 Applicable Ag Sale Comparables (Table A & B)

**based off of SJMSCP Fin. Anal. Proxy Properties (Table C) Estimate for encumbered land in the Delta Zone is \$250 lower than that of the Central Zone Based on lower market rents for row crop land.

Table 3 *Per Acre Acquisition Cost Summary*

SJMSCP 2008 Fee Evaluation		SJMSCP Zone			Total Weighted Acquisition Cost A+B+C
		Central Zone	Primary Zone of the Delta	Southwest Zone	
Land Use Category		A	B	C	
Easement Cost by Zone (1)	d	\$8,225	\$7,602	\$1,000	
Natural Lands					
Riparian					
Percent in Zone (2)	e	89%	11%	0%	
Weighted Costs (3)	d*e	\$7,319.89	\$836.19	\$0.00	\$8,156.08
Delta Submerged Aquatic					
Percent in Zone (2)	f	0%	100%	0%	
Weighted Costs (3)	d*f	\$0	\$7,602	\$0	\$7,602
Other Water's Edge					
Percent in Zone (2)	g	100%	0%	0%	
Weighted Costs (3)	d*g	\$8,225	\$0	\$0	\$8,225
Southwest Grasslands					
Percent in Zone (2)	h	0%	0%	100%	
Weighted Costs (3)	d*h	\$0	\$0	\$1,000	\$1,000
Vernal Pool Wetted (4)		n/a	n/a	n/a	\$9,200
Vernal Pool Grasslands (4)		n/a	n/a	n/a	\$9,200
Agricultural Lands					
Percent in Zone (2)	i	97%	3%	0%	
Weighted Costs (3)	d*i	\$7,977.85	\$228.05	\$0.00	\$8,205.91

(1) See Table 2.

(2) Percent of total lands in each category assumed to be in a given zone. Based on 1996 Economic Analysis

(3) Weighted average cost based on proportion of total land in each zone. Assumes easement acquisition for lands categorized as agriculture, riparian, delta submerged, other's waters edge, and southwest grasslands.

(4) Assumes fee title acquisition for vernal pool lands. Vernal pools fee title land costs assumed to be about 80% of average Central Zone fee title costs.

Table 4 Total Acquisition Costs

SJMSCP 2008 Fee Evaluation

Preserve Types	Cost per Acre (1)	Transaction Costs (2) 5%	Total Land Acquisition Costs
Agricultural Lands	\$8,205.91	\$410.30	\$8,616.20
Natural Lands			
Riparian	\$8,156.08	\$407.80	\$8,563.88
Delta Submerged Aquatic	\$7,601.76	\$380.09	\$7,981.85
Other Water's Edge	\$8,224.59	\$411.23	\$8,635.82
Southwest Grasslands	\$1,000.00	\$50.00	\$1,050.00
Vernal Pool Wetted	\$9,200.00	\$460.00	\$9,660.00
Vernal Pool Grasslands	\$9,200.00	\$460.00	\$9,660.00

(1) See Table 3. Assumes easement purchases in all cases except fee title purchases for vernal pool lands.

(2) Transaction costs include biological baseline, appraisal, escrow, and survey costs.

Table 5 **Total Per-Acre Costs**

SJMSCP 2008 Fee Evaluation

Preserve Type	Land Acquisition	% of Total Preserve Lands	Total Preserve Acres	Total Costs of Acquisition
Agricultural Lands	\$8,616.20	57%	57,635	\$496,594,707.46
Natural Lands				
Riparian	\$8,563.88	19%	19,185	\$164,298,088.35
Delta	\$7,981.85	0%	10	\$79,818.48
Other Water's Edge	\$8,635.82	2%	1,584	\$13,679,138.09
Southwest Grasslands	\$1,050.00	4%	4,146	\$4,353,300.00
Average of Natural/Ag Lands	\$8,224.38	82%	82,560	\$679,005,052.38
Vernal Pool Wetted	\$9,660.00	2%	354	\$3,419,640.00
Vernal Pool Grasslands	\$9,660.00	16%	17328	\$167,388,480.00

Table 6 **Total Preserve Costs, Breakdown by Category**
SJMSCP 2008 Fee Evaluation

Preserve Type	Total Preserve Acres	Acquisition Costs	
		Per Acre	Total
Vernal Pool Wetted	2,121	\$9,660.00	\$20,488,860.00
Vernal Pool Grasslands	15,561	\$9,660.00	\$150,319,260.00
Nat/Ag Lands	82,860	\$8,224.38	\$681,472,367.25
Total	100,542		\$852,280,487.25

Table 7 *Vernal Pool Surface and Grasslands*
SJMSCP 2008 Fee Evaluation

Preserve Type	Acres Converted	Acquisition Costs
Vernal Pool Wetted	707	
Total Cost		\$20,488,860.00
Fee per Acre		\$28,980.00
Vernal Pool Grasslands	5,187	
Total Cost		\$150,319,260.00
Fee per Acre		\$28,980.00

Table 8 ***Nat/Ag Land and Open Space***

SJMSCP 2008 Fee Evaluation

	Land Acquisition		
Preserve Type	Land Acquisition	Transaction	Total
Cost associated with Nat/Ag Lands Conversion	\$647,398,748.89	\$34,073,618.36	\$681,472,367.25
Nat/Ag Land Conversion	65,940	65,940	65,940
Other Open Space Conversion	37,465	37,465	37,465
Multiplier for Nat/Ag Land Conversion	1	1	1
Multiplier for Other Open Space	0.5	0.5	0.5
Land Acquisition Component of Nat/Ag Lands Fee	\$7,645.92	\$402.42	\$8,048.33

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT
CONSERVATION AND OPEN SPACE PLAN (SJMSCP)
DEVELOPMENT FEE.

=====

WHEREAS, the City Council of the City of Lodi adopted an Ordinance establishing the authority for collection of a Development Fee for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for all new developments pursuant to the SJMSCP within the City of Lodi; and

WHEREAS, a "Fee Study" dated July 16, 2001 was prepared which analyzed and identified the costs, funding, and cost-benefit of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan; and

WHEREAS, the purpose of the SJMSCP Development Fee is to finance the goals and objectives of the SJMSCP that include, but are not limited to preserve land acquisition, preserve enhancement, land management, and administration that compensate for such lands lost as a result of future development in the City of Lodi and in San Joaquin County; and

WHEREAS, after considering the Fee Study and the testimony received at the public hearing, the Lodi City Council approved said report; and further found that the future development in the City of Lodi will need to compensate cumulative impacts to threatened, endangered, rare and unlisted SJMSCP Covered Species and other wildlife and compensation for some non-wildlife related impacts to recreation, agriculture, scenic values and other beneficial Open Space uses; and

WHEREAS, an "Updated Fee Study" dated November 2, 2006 was prepared which analyzed and identified the costs and funding of the SJMSCP; and

WHEREAS, the current SJMSCP Development Fee for natural lands and agricultural lands is \$3,463 an acre for the year 2007 due to annual adjustments consistent with the California Construction Cost Index (CCCI); and

WHEREAS, the Updated Fee Study identified the fee an acre for natural lands and agricultural lands for the year 2007 as \$13,022; and

WHEREAS, the current fee of \$3,463 an acre is inadequate to finance the goals and objectives of the SJMSCP due to the increasing cost of land in San Joaquin County; and

WHEREAS, the SJMSCP Development Fees are divided into three categories: vernal pool habitat, natural land and agricultural habitat land, and multi-purpose open space conversion; and

WHEREAS, the SJMSCP Development Fees for vernal pool habitat and multi-purpose open space conversion will likewise be increased consistent with the Updated Fee Study findings for the year 2007. A table illustrating the Development Fee increases for the three categories of land is attached hereto as Exhibit "A"; and

WHEREAS, to ensure that the SJMSCP development fees keep pace with inflation, annual adjustments, based on the method set forth in this resolution, shall be made to the fees annually; and

WHEREAS, the fee shall now be comprised of three components: Acquisition Costs, Assessment and Enhancements, and Management and Administration. The Assessment and Enhancements and Management and Administration components shall be adjusted annually based on the Consumer Price Index (CPI). The Acquisition Cost component shall be adjusted annually based on a minimum of ten comparable agricultural sales within the previous two years. If ten acceptable comparables are not found, then the two-year window will increase in three-month intervals until ten acceptable comparable agricultural sales are found. The comparable agricultural sales shall meet the following criteria: over forty acres in size, but under 500 acres in size, no orchard or vineyard properties shall be included, and all comparable sales must be on land that is consistent as mitigation land under the SJMSCP. In addition, all SJCOG, Inc. transactions regardless of size or sale type will be included in the comparables; and

WHEREAS, the Updated Fee Study with the SJMSCP and the fee amendment were available for public inspection and review in the office of the City Clerk for more than 10 days prior to the date of this Public Hearing;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LODI, AS FOLLOWS:

1. The City Council finds and declares that the purposes and uses of the Development Fee, and the determination of the reasonable relationship between the fees' uses and the type of development project on which the fees are imposed, are all established in Ordinance 1707, and remain valid, and the City Council therefore adopts such determinations.
2. The City Council finds and declares that since adoption of Ordinance 1707, the cost of land has increased in San Joaquin County and that in order to maintain the reasonable relationship established by Ordinance 1707, it is necessary to increase the Development Fee for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan.
3. The Development Fee for natural lands and agricultural land shall be \$12,392 an acre based on Table 1 in the Updated Fee Study and is consistent with the Updated Fee Study dated November 2, 2006.
4. The Development Fee for vernal pool habitat and multi-purpose open space conversion shall be consistent with the table identified in Exhibit "A" and attached hereto.
5. The Fee provided in this resolution shall be effective on January 20, 2008, which is at least sixty (60) days after the adoption of this resolution.

Dated: November 21, 2007

=====

I hereby certify that Resolution 2007-_____ was passed and adopted by the Lodi City Council in a regular meeting held on November 21, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS -

RANDI JOHL
City Clerk

2007-_____

Exhibit A

2008 Updated Habitat Fees

Habitat Type	Fee Per Acre
Multi-Purpose Open Space	\$6,165
Natural	\$ 12,329
Agriculture	\$ 12,329
Vernal Pool - uplands	\$ 35,143
Vernal Pool - wetted	\$ 71,125



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION
AMENDING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT
CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES FOR
2008

PUBLISH DATE: SATURDAY, NOVEMBER 10, 2007


LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, NOVEMBER 8, 2007

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

CYNTHIA MURPHY
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Faxed to the Sentinel at 369-1084 at 2:30 (time) on 11/8/07 (date) 2 (pages)
Phoned to confirm receipt of all pages at _____ (time) _____ JMP _____ CF _____ CM (initials)



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION AMENDING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES FOR 2008

On Friday, November 9, 2007, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider adoption of a resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees For 2008 (attached hereto, marked Exhibit "A") was posted at the following four locations:


Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 9, 2007, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

CYNTHIA MURPHY
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: November 21, 2007

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, November 21, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) **Adoption of a resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees for 2008.**

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

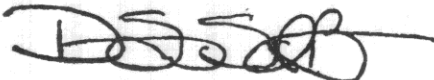
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:


Jennifer M. Perrin
Deputy City Clerk

Dated: November 7, 2007

Approved as to form:



D. Stephen Schwabauer
City Attorney